United Nations A/AC.109/2004/L.5

General Assembly

Distr.: Limited
2 June 2004

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chairman

Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

The Special Committee,

Recalling General Assembly resolution 1970 (XVIII) of 16 December 1963, in which the Assembly requested the Special Committee to study the information transmitted to the Secretary-General in accordance with Article 73 *e* of the Charter of the United Nations and to take such information fully into account in examining the situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Recalling also General Assembly resolution 58/102 of 9 December 2003, in which the Assembly requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

Stressing the importance of timely transmission by the administering Powers of adequate information under Article 73 *e* of the Charter, in particular in relation to the preparation by the Secretariat of the working papers on the Territories concerned,

Having examined the report of the Secretary-General,[1]

1. *Reaffirms* that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter of the United Nations, the administering Power concerned should continue to transmit information under Article 73 *e* of the Charter with respect to that Territory;

2. *Requests* the administering Powers concerned to transmit or continue to transmit to the Secretary-General the information prescribed in Article 73 *e* of the

[1] A/59/71.

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Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in those Territories;

3. *Requests* the Secretary-General to continue to ensure that adequate information is drawn from all available published sources in connection with the preparation of the working papers relating to the Territories concerned;

4. *Decides*, subject to any decision that the General Assembly may take in that connection, to continue to discharge the functions entrusted to it under Assembly resolution 1970 (XVIII), in accordance with established procedures.

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General Assembly

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chairman

Question of sending visiting missions to Territories

The Special Committee,

Having considered the question of sending visiting missions to Territories,

Recalling the relevant resolutions and decisions of the General Assembly and the Special Committee requesting the administering Powers to cooperate fully with the Untied Nations by receiving visiting missions in the Territories under their administration,

Mindful that Untied Nations visiting missions provide an effective means of assessing the situation in those Territories and of ascertaining the wishes and aspirations of the peoples thereof regarding their future status,

Conscious that United Nations visiting missions enhance the capacity of the United Nations to assist the peoples of Non-Self-Governing Territories in attaining the objectives set forth in the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, and in other relevant resolutions of the Assembly,

Noting with appreciation the continuing exemplary cooperation of New Zealand, as an administering Power, in the work of the Special Committee, and that, at the invitation of the Government of New Zealand, two visiting missions were dispatched to Tokelau in July 1994 and in August, 2002,[1]

Welcoming the continuing informal dialogue between the Special Committee and some administering Powers,

1. *Stresses* the need to dispatch periodic visiting missions to Non-Self-Governing Territories in order to facilitate the full, speedy and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples with respect to those Territories;

[1] See A/AC.109/2009.

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2. *Calls upon* the administering Powers to cooperate or continue to cooperate with the United Nations by receiving United Nations visiting missions in the Territories under their administration;

3. *Requests* the administering Powers to consider new approaches in the work of the Special Committee, and urges them to cooperate with the Special Committee in its efforts;

4. *Requests* its Chairman to continue consultations with the administering Powers concerned and to report thereon to the Special Committee as appropriate.

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General Assembly

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14 June 2004

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chairman

Question of sending visiting missions to Territories

The Special Committee,

Having considered the question of sending visiting missions to Territories,

Recalling the relevant resolutions and decisions of the General Assembly and the Special Committee requesting the administering Powers to cooperate fully with the United Nations by receiving visiting missions in the Territories under their administration,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in those Territories and of ascertaining the wishes and aspirations of the peoples thereof regarding their future status,

Conscious that United Nations visiting missions enhance the capacity of the United Nations to assist the peoples of Non-Self-Governing Territories in attaining the objectives set forth in the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, and in other relevant resolutions of the Assembly,

Noting with appreciation the continuing exemplary cooperation of New Zealand, as an administering Power, in the work of the Special Committee, and that, at the invitation of the Government of New Zealand, two visiting missions were dispatched to Tokelau in July 1994 and in August 2002,[1]

Welcoming the continuing informal dialogue between the Special Committee and some administering Powers,

1. *Stresses* the need to dispatch periodic visiting missions to Non-Self-Governing Territories in order to facilitate the full, speedy and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples with respect to those Territories, in accordance with the relevant resolutions of the United Nations on decolonization;

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* Reissued for technical reasons.

[1] See A/AC.109/2009 and A/AC.109/2002/31.

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2. *Calls upon* the administering Powers to cooperate or continue to cooperate with the United Nations by receiving United Nations visiting missions in the Territories under their administration, in accordance with the relevant resolutions of the United Nations on decolonization;

3. *Requests* the administering Powers to consider new approaches in the work of the Special Committee, and urges them to cooperate with the Special Committee in its efforts;

4. *Requests* its Chairman to continue consultations with the administering Powers concerned and to report thereon to the Special Committee as appropriate.

United Nations A/AC.109/2004/L.7

General Assembly

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2 June 2004
English
Original: English/Spanish

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Cuba: draft resolution

Special Committee decision of 9 June 2003 concerning Puerto Rico

The Special Committee,

Bearing in mind the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, as well as the resolutions and decisions of the Special Committee concerning Puerto Rico,

Considering that the decade of the 1990s was proclaimed by the General Assembly, in its resolution 43/47 of 22 November 1988, as the Decade for the Eradication of Colonialism, and that by resolution 55/146 of 8 December 2000, the General Assembly declared the period 2001-2010 the Second International Decade for the Eradication of Colonialism,

Bearing in mind the 22 resolutions and decisions adopted by the Special Committee on the question of Puerto Rico, contained in the reports of the Special Committee to the General Assembly,

Recalling that 25 July 2004 marks the one hundred and sixth anniversary of the intervention in Puerto Rico by the United States of America,

Also recalling the diverse initiatives taken by the political representatives of Puerto Rico and the United States in recent years, which have thus far failed to set in motion the process of decolonization of Puerto Rico,

Stressing the need for the United States to lay the groundwork for the full implementation of General Assembly resolution 1514 (XV) and the resolutions and decisions of the Special Committee concerning Puerto Rico,

Taking into account the measures adopted in 2003 by both Chambers of the Legislative Assembly of Puerto Rico recommending the convening of a Status Assembly of the people of Puerto Rico as part of the search for procedures that would make it possible to launch the process of decolonization of Puerto Rico,

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Aware that Vieques Island, Puerto Rico, has been used for over 60 years by the United States Marines to carry out military exercises with negative consequences for the health of the population, the environment and the economic and social development of that Puerto Rican municipality,

Taking note with satisfaction of the decision adopted by the Government of the United States of America to put an end to the bombings and military exercises on Vieques Island from 1 May 2003,

Recognizing that this decision is the outcome of the prolonged process held during years of peaceful protests carried out by the people of Puerto Rico as well as the wide campaign of international solidarity, which has been appropriately reflected in the work and documents of the Special Committee,

Noting also the consensus existing in the people and the Government of Puerto Rico on the necessity of ensuring the return to the people of Puerto Rico of all the territory previously used in military exercises, as well as its decontamination,

Noting with satisfaction that as a consequence of the closure of the firing range on Vieques Island, inter alia, the Government of the United States of America decided to close and dismantle the Roosevelt Roads Naval Station in Ceiba,

Aware that the closure and dismantling of this military installation and the return of the occupied land to the people of Puerto Rico represents an extraordinary opportunity for the economic and social development of the eastern portion of Puerto Rico,

Recalling the release of several Puerto Rican political prisoners during the past few years,

Noting the consensus among the people of Puerto Rico in favour of the release of the Puerto Rican political prisoners who are still serving sentences in United States prisons for cases related to the struggle for Puerto Rico's independence, and of those who are still in prison for reasons relating to the Vieques Island struggle for peace,

Noting that the final document of the Thirteenth Summit of the Heads of State or Government of the Movement of Non-Aligned Countries, held in Kuala Lumpur on 24 and 25 February 2003, reaffirms the right of the people of Puerto Rico to self-determination and independence on the basis of General Assembly resolution 1514 (XV) and requests the Special Committee to continue actively pursuing the issue of Puerto Rico,

Having heard statements and testimonies representative of various viewpoints among the people of Puerto Rico and their social institutions,

Having considered the report of the Rapporteur of the Special Committee on the implementation of the resolutions concerning Puerto Rico,[1]

1. *Reaffirms* the inalienable right of the people of Puerto Rico to self-determination and independence in conformity with General Assembly resolution 1514 (XV) and the applicability of the fundamental principles of that resolution to the question of Puerto Rico;

[1] A/AC.109/2004/L.3.

2. *Reiterates* that the Puerto Rican people constitute a Latin American and Caribbean nation that has its own unequivocal national identity;

3. *Calls upon* the Government of the United States of America to assume its responsibility to expedite a process that will allow the Puerto Rican people fully to exercise their inalienable right to self-determination and independence, in accordance with General Assembly resolution 1514 (XV) and the resolutions and decisions of the Special Committee concerning Puerto Rico;

4. *Notes with satisfaction* that, in recent years, progress has been achieved towards the implementation of a mechanism that would ensure the full participation of representatives of all viewpoints prevailing in Puerto Rico, such as the proposals to convene a Status Assembly of the people of Puerto Rico, based on the principle that any initiative for the solution of the political status of Puerto Rico should originate from the people of Puerto Rico;

5. *Reiterates* the hope that the General Assembly will give comprehensive consideration to the question of Puerto Rico in all its aspects;

6. *Urges* the Government of the United States, in line with the need to guarantee the Puerto Rican people their legitimate right to self determination and the protection of their human rights, to return the occupied land and installations on Vieques Island and at the Roosevelt Roads Naval Station to the people of Puerto Rico; respect fundamental human rights, such as the right to health and economic development; assume responsibility for and cover the costs of decontaminating the impact areas previously used in military exercises; and address the serious consequences to the health of the inhabitants of Vieques Island and the environmental degradation;

7. *Requests* the President of the United States of America to release all Puerto Rican political prisoners serving sentences in United States prisons for cases related to the struggle for the independence of Puerto Rico and those serving sentences in United States prisons for cases related to the Vieques Island peace struggle;

8. *Notes with satisfaction* the report prepared by the Rapporteur of the Special Committee,[1] in compliance with its resolution of 9 June 2003;

9. *Requests* the Rapporteur to report to the Special Committee in 2005 on the implementation of the present resolution;

10. *Decides* to keep the question of Puerto Rico under continuous review.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Question of the Falkland Islands (Malvinas)

Bolivia, Chile, Cuba and Venezuela: draft resolution

The Special Committee,

Having considered the question of the Falkland Islands (Malvinas),

Aware that the maintenance of colonial situations is incompatible with the United Nations ideal of universal peace,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960, 2065 (XX) of 16 December 1965, 3160 (XXVIII) of 14 December 1973, 31/49 of 1 December 1976, 37/9 of 4 November 1982, 38/12 of 16 November 1983, 39/6 of 1 November 1984, 40/21 of 27 November 1985, 41/40 of 25 November 1986, 42/19 of 17 November 1987 and 43/25 of 17 November 1988, Special Committee resolutions A/AC.109/756 of 1 September 1983, A/AC.109/793 of 21 August 1984, A/AC.109/842 of 9 August 1985, A/AC.109/885 of 14 August 1986, A/AC.109/930 of 14 August 1987, A/AC.109/972 of 11 August 1988, A/AC.109/1008 of 15 August 1989, A/AC.109/1050 of 14 August 1990, A/AC.109/1087 of 14 August 1991, A/AC.109/1132 of 29 July 1992, A/AC.109/1169 of 14 July 1993, A/AC.109/2003 of 12 July 1994, A/AC.109/2033 of 13 July 1995, A/AC.109/2062 of 22 July 1996, A/AC.109/2096 of 16 June 1997, A/AC.109/2122 of 6 July 1998, A/AC.109/1999/23 of 1 July 1999, A/AC.109/2000/23 of 11 July 2000, A/AC.109/2001/25 of 29 June 2001, A/AC.109/2002/25 of 19 June 2002 and A/AC.109/2003/24 of 16 June 2003 and Security Council resolutions 502 (1982) of 3 April 1982 and 505 (1982) of 26 May 1982,

Distressed that, notwithstanding the time that has elapsed since the adoption of General Assembly resolution 2065 (XX), this prolonged dispute has not yet been settled,

Aware of the interest of the international community in the resumption by the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland of their negotiations in order to find as soon as possible a

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peaceful, just and lasting solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas),

Expressing its preoccupation over the fact that the good level of relations between Argentina and the United Kingdom has not yet led to negotiations on the question of the Falkland Islands (Malvinas),

Considering that this situation should facilitate the resumption of the negotiations in order to find a peaceful solution to the dispute over sovereignty,

Reaffirming the principles of the Charter of the United Nations on the non-use of force or the threat of force in international relations and the peaceful settlement of international disputes,

Calling attention to the importance of the Secretary-General continuing his efforts to give full effect to the mission entrusted to him by the General Assembly in the resolutions on the question of the Falkland Islands (Malvinas),

Reaffirming the need for the parties to take due account of the interests of the population of the islands in accordance with the provisions of the General Assembly resolutions on the question of the Falkland Islands (Malvinas),

1. *Reiterates* that the way to put an end to the special and particular colonial situation in the question of the Falkland Islands (Malvinas) is the peaceful and negotiated settlement of the dispute over sovereignty between the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland;

2. *Takes note* of the views expressed by the President of Argentina on the occasion of the fifty-eighth session of the General Assembly;

3. *Regrets* that, in spite of the widespread international support for a negotiation between the Governments of Argentina and the United Kingdom that includes all aspects on the future of the Falkland Islands (Malvinas), the implementation of the General Assembly resolutions on this question has not yet started;

4. *Requests* the Governments of Argentina and the United Kingdom to consolidate the current process of dialogue and cooperation through the resumption of negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas), in accordance with the provisions of General Assembly resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25;

5. *Reiterates its firm support* for the mission of good offices of the Secretary-General in order to assist the parties in complying with the request made by the General Assembly in its resolutions on the question of the Falkland Islands (Malvinas);

6. *Decides* to keep under review the question of the Falkland Islands (Malvinas) subject to the directives that the General Assembly has issued and may issue in that regard.

United Nations A/AC.109/2004/L.9

General Assembly

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Fiji and Papua New Guinea: draft resolution

Question of New Caledonia

The Special Committee,

Having considered the question of New Caledonia,

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

1. *Welcomes* the significant developments that have taken place in New Caledonia as exemplified by the signing of the Nouméa Accord of 5 May 1998 between the representatives of New Caledonia and the Government of France;[1]

2. *Urges* all the parties involved, in the interest of all the people of New Caledonia, to maintain, in the framework of the Nouméa Accord, their dialogue in a spirit of harmony;

[1] A/AC.109/2114, annex.

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3. *Notes* the relevant provisions of the Nouméa Accord aimed at taking more broadly into account the Kanak identity in the political and social organization of New Caledonia, and also those provisions of the Accord relating to control of immigration and protection of local employment;

4. *Also notes* the relevant provisions of the Nouméa Accord to the effect that New Caledonia may become a member or associate member of certain international organizations, such as international organizations in the Pacific region, the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization, according to their regulations;

5. *Further notes* the agreement between the signatories of the Nouméa Accord that the progress made in the emancipation process shall be brought to the attention of the United Nations;

6. *Welcomes* the fact that the administering Power invited to New Caledonia, at the time the new institutions were established, a mission of information which comprised representatives of countries of the Pacific region;

7. *Calls upon* the administering Power to transmit information regarding the political, economic and social situation of New Caledonia to the Secretary-General;

8. *Invites* all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all New Caledonians, especially the indigenous Kanak people, according to the letter and the spirit of the Nouméa Accord, which is based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

9. *Welcomes* measures that have been taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon and Nouméa Accords;

10. *Also welcomes* the importance attached by the parties to the Matignon and Nouméa Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

11. *Acknowledges* the contribution of the Melanesian Cultural Centre to the protection of the indigenous Kanak culture of New Caledonia;

12. *Notes* the positive initiatives aimed at protecting the natural environment of New Caledonia, notably the "Zonéco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

13. *Acknowledges* the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and territorial authorities to facilitate the further development of those links, including the development of closer relations with the countries members of the Pacific Islands Forum;

14. *Welcomes*, in this regard, the accession by New Caledonia to the status of observer in the Pacific Islands Forum, continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to countries members of the Pacific Islands Forum;

15. *Decides* to keep under continuous review the process unfolding in New Caledonia as a result of the signing of the Nouméa Accord;

16. *Also decides* to continue the examination of the question of the Non-Self-Governing Territory of New Caledonia and to report thereon to the General Assembly at its sixtieth session.